

FILED

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUN 11 2008

MOLLY C. DWYER, CLERK OF COURT
U.S. COURT OF APPEALS

STEVEN DECOSTA, in his representative capacity as Chairperson of the Board of Trustees of United Public Workers, AFSCME, Local 646, AFL-CIO, Mutual Aid Fund Trust real party in interest, United Public Workers, AFSCME, Local 646, AFL-CIO,

Plaintiff - Appellee,

v.

GARY W. RODRIGUES,

Defendant - Appellant.

No. 08-16386
D.C. No. 1:03-cv-00598-DAE-LEK
District of Hawaii, Honolulu

TIME SCHEDULE ORDERFILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 13 2008

at 11th clock and 09 min. AM
SUE BEITA, CLERK

The parties shall meet the following time schedule:

- | | |
|----------------------------|--|
| Mon., June 2, 2008 | Appellant/petitioner shall notify appellee/respondent of transcripts to be ordered, pursuant to 9th Cir. R. 10-3.1(a); |
| Thu., June 12, 2008 | Appellee/respondent shall notify appellant/petitioner of any additional transcripts needed, pursuant to 9th Cir. R. 10-3.1(b); |
| Mon., June 23, 2008 | Appellant/petitioner shall file transcript order form with the district court and make payment arrangements with court reporter, pursuant to 9th Cir. R. 10-3.1; |

Mon., September 8, 2008 Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;

Tue., October 7, 2008 The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1

The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1

Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Gerald Rosen
Deputy Clerk